

Sector 1/4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ROBERT N. FALCO)
Serial No: 09/226,467) Group Art Unit: 2837
Filed: January 7, 1999)
For: DETECTABLE EARPLUG AND) Before the
METHOD OF MANUFACTURE) Examiner
THEREOF)



RESPONSE TO NOTICE TO FILE MISSING PARTS

The Commissioner of Patents
and Trademarks

Washington, D.C. 20231

Sir:

Submitted herewith in response to the Notice (Paper No. 2) dated *January 29, 1999*,
are the following:

- (1) The Declaration, attached to a copy of the application as filed;
- (2) A check in the amount of \$ 908.00 to cover the following:
 - (a) Basic Filing Fee \$ 760.00
 - (b) Surcharge 1.16(e) \$ 130.00
 - (c) Claims in Excess of Twenty =
One (1) x 18 = \$ 18.00

I certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope
addressed to: Commissioner of Patents and Trademarks,
Washington, D.C. 20231 on

February 17, 1999
(Date of Deposit)

Susan M. Andrews

Name of person mailing paper

Susan M. Andrews 2/17/99
Signature Date

FDC&C 98-2169
AEARO

If any other fees are due with regard to the missing parts or otherwise, please charge them to Deposit Account No. 06-1130, maintained by applicant's attorney.

Respectfully submitted,

ROBERT N. FALCO

CANTOR COLBURN LLP
Applicant's Attorneys

By: 

David A. Fox
Registration No. 38,807

Date: February 17, 1999

Address: 88 Day Hill Road, Windsor, Connecticut 06095

Telephone: (860) 688-4470



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

#3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/226,467 01/07/99 FALCO

R 11 10 11/1

CANTOR COLBURN
88 DAY HILL ROAD
WINDSOR CT 06095

0212/0129



NOT ASSIGNED

2837

DATE MAILED:

01/29/99

NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 908.00.

- ☒ 1. The statutory basic filing fee is:
- ☒ missing.
 - ☐ insufficient.
- Applicant must submit \$ 742.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☒ 2. Additional claim fees of \$ 18.00, including any multiple dependent claim fees, are required.

\$ _____ for _____ independent claims over 3.

\$ 18 for 1 dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
- ☒ is missing or unexecuted.
 - ☐ does not cover the newly submitted items.
 - ☐ does not identify the application to which it applies.
 - ☐ does not include the city and state or foreign country of applicant's residence.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/01/1999 WTKLEH1 00000079 0226467
760.00
18.00
130.00
01 FC:101
02 FC:103
03 FC:105